

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

FINANCIAL FREEDOM ACQUISITION, LLC,

Plaintiff,

v.

**UNKNOWN HEIRS AND LEGATEES
OF MILDRED JEWEL BOLINGER, et al.,**

Defendants.

No. 10-866-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Plaintiff's Motion to Dismiss Party Defendant and Remand Case to State Court (Doc. 12). Specifically, Plaintiff seeks to dismiss the United States as a party as they are no longer a permissible party under **735 ILCS 5/15-1501(b)(7)** and remand this case back to state court. This case was originally filed as a foreclosure action in the Circuit Court for the Twentieth Judicial District, St. Clair County with the United States of America named as a party Defendant. On November 1, 2010, the United States of America removed the case to this Court under **28 U.S.C. §§1444 and 2410** as the United States, namely the Secretary of Housing and Urban Development, claimed an interest in the foreclosed property (Doc. 3). Subsequently, on November 23, 2010, the United States filed a Notice of Disclaimer and Waiver of Redemption rights disclaiming any interest in the property and waiving its redemption rights under **28 U.S.C. § 2410** (Doc. 11). The United States also stated that it would not object to this case being remanded to state court.

Thus, based on the reasons set forth in the motion, the Court **GRANTS** Plaintiff's Motion to Dismiss Party Defendant and Remand Case to State Court (Doc. 12). The Court **DISMISSES** the United States of America as a Defendant and **REMANDS** this case to the Circuit Court for the Twentieth Judicial Circuit in St. Clair County.

IT IS SO ORDERED.

Signed this 24th day of November, 2010.

  David R. Herndon
2010.11.24
14:33:17 -06'00'

Chief Judge
United States District Court